

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA**

CAROL L. HALL

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CA NO. 3:06-3130-MJP

Plaintiff

]

-vs-

]

ORDER

RUFUS E. HALL

Defendant.

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This is a civil action brought by the plaintiff, Carol L. Hall, who is proceeding *pro se*. The plaintiff asks the Court to “review” the judgment in a Richland County Family Court matter involving child custody. Plaintiff does not seek damages.

Pursuant to this Court’s local rules, the case was referred to United States Magistrate Judge Bristow Marchant for review and a recommendation concerning its disposition. Upon his review, the Magistrate Judge has filed a report and recommendation in which he observes that this Court is without jurisdiction to provide the relief requested by the plaintiff. The Magistrate Judge recommends that this Court dismiss this action without prejudice and without service of process. The plaintiff has not objected to this recommendation. However, the plaintiff has filed a request seeking an extension of one to six months to respond to the Report and Recommendation of the Magistrate Judge.

The applicable standard of review for this Court is clear. The Magistrate Judge only makes a recommendation to the Court, to which any party may file written objections after being served with a written copy of the report and recommendation. This court is charged

with making a *de novo* determination of any portion of the report and recommendation to which a specific objection is made. Thomas v. Arn, 474 U.S. 140, 150 (1985). The court may accept, reject, or modify, in whole or in part, the recommendation or recommit the matter to the Magistrate Judge with instructions. Wood v. Schweiker, 537 F. Supp. 660, 661 (D.S.C. 1982). Upon review, the recommendation of the Magistrate Judge is accepted.

The Court has carefully reviewed plaintiff's complaint and has determined that it fails to state a claim upon which this Court can grant relief. The Court recognizes that *pro se* complaints are held to a less stringent standard than those drafted by attorneys and the Court is charged with liberally construing a complaint filed by a *pro se* litigant. See Gordon v. Leeke, 574 F.2d 1147, 1151 (4th Cir. 1978). However, even the most liberal construction of plaintiff's complaint fails to allege any facts which set forth a claim cognizable in a federal district court. See Weller v. Department of Social Servs., 901 F.2d 387 (4th Cir. 1990).

Plaintiff asks this court to review a judgment of the Richland County Family Court. Federal district courts have no authority to review the final determinations of state and local courts. See District of Columbia Court of Appeals v. Feldman, 460 U.S. 462, 476-82 (1983).

Accordingly, for the reasons stated herein and after review of the report and recommendation of the Magistrate Judge the Court is of the opinion that this action should be and is DISMISSED. The plaintiff's motion for additional time to respond to the

recommendation of the Magistrate Judge is DENIED.

IT IS SO ORDERED.

s/ MATTHEW J. PERRY
SENIOR UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
February 2, 2007.